

CATHERINE Y. LUI (SBN 239648)
clui@orrick.com
NATHAN SHAFFER (SBN 282015)
nshaffer@orrick.com
ORRICK, HERRINGTON & SUTCLIFFE LLP
The Orrick Building
405 Howard Street
San Francisco, CA 94105-2669
Telephone: +1 415 773 5700
Facsimile: +1 415 773 5759

Attorneys for Third-Party Defendant
eGym, Inc.

[Counsel for Brunswick Corporation On
Signature Page]

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
OAKLAND DIVISION

NEXTPULSE LLC, a Delaware Limited
Liability Corporation, successor to
NETPULSE, INC., a Delaware Corporation,

Plaintiff,

v.

BRUNSWICK CORPORATION, a Delaware
Corporation, and DOES 1-25, inclusive,

Defendant.

AND RELATED CROSS-ACTIONS

Case No. 4:22-cv-04071-HSG

**STIPULATION AND ORDER
EXTENDING EGYM, INC'S TIME
TO RESPOND TO FOURTH
AMENDED CROSS-COMPLAINT**

Judge: Hon. Haywood S. Gilliam, Jr.

1 Pursuant to Federal Rule of Civil Procedure 6 and Local Rule 6-2, Third-Party Defendant
2 eGym, Inc. and Third-Party Plaintiff Brunswick Corporation stipulate to an extension of time for
3 eGym to respond to the Fourth Amended Cross-Complaint (or a “third-party complaint” per the
4 nomenclature in Federal Rule of Civil Procedure 14) (the “FACC”) and respectfully request an
5 order granting the same.

6 WHEREAS, the Parties previously stipulated and the Superior Court ordered that eGym’s
7 response to the FACC is due on or before September 19, 2022;

8 WHEREAS, pursuant to Federal Rule of Civil Procedure 81(c)(2)(C) eGym’s response to
9 the FACC is due seven days after removal, or July 18, 2022;

10 WHEREAS, eGym and Brunswick are in the midst of ongoing settlement discussions and
11 that have made significant progress; and

12 WHEREAS, eGym and Brunswick agree that eGym’s response to the FACC should be
13 continued pending completion of settlement discussions;

14 NOW, THEREFORE, eGym and Brunswick stipulate as follows:

15 1. eGym shall file its response to the FACC on or before September 19, 2022, and to
16 the extent eGym files a motion to which a response is required Brunswick shall have 21 days to
17 file an opposition brief, eGym shall have seven days to file a reply, and eGym shall notice the
18 motion hearing with sufficient time for briefing to be completed at least 14 days prior to the
19 hearing.

20 IT IS SO STIPULATED.
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1 Dated: July 18, 2022

Respectfully submitted,

2 CATHERINE Y. LUI
3 NATHAN SHAFFER
4 Orrick, Herrington & Sutcliffe LLP

5 By: /s/ Nathan Shaffer
6 NATHAN SHAFFER
7 Attorneys for Third-Party Defendant
eGym, Inc.

8 Dated: July 18, 2022


Respectfully submitted,

9 PATRICIA L. PEDEN
10 KRISTIN E. CHARBONNIER
11 Burke, Williams & Sorenson LLP

12 By: /s/ Patricia L. Peden
13 PATRICIA L. PEDEN
14 Attorneys for Crossclaim Plaintiff
15 Brunswick Corporation

16 Pursuant to stipulation, IT IS SO ORDERED.

17 Dated: 7/18/2022

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19 Hon. Haywood S. Gilliam, Jr.
20 UNITED STATES DISTRICT JUDGE
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